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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,754	11/21/2001	Darcy J. McCulloch	049681-5003	9659
28089	7590	10/12/2005	EXAMINER	
WILMER CUTLER PICKERING HALE AND DORR LLP			ABEL JALIL, NEVEEN	
399 PARK AVENUE			ART UNIT	
NEW YORK, NY 10022			PAPER NUMBER	

2165

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,754

Applicant(s)

MCCULLOCH, DARCY J.

Examiner

Neveen Abel-Jalil

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. The Request for Reconsideration filed on July 14, 2005 has been received and entered.
Claims 1-37 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by LEVICHIN et al. (WO 00/67177).

As to claim 1, LEVICHIN et al. discloses a computer-aided method for tracking and storing network-based transactional data, the method comprising:

- (a) identifying a plurality of users by respective user identifiers (See page 2, lines 28-30, wherein "user identifier" reads on "electronic email addresses and social security numbers");
- (b) storing the user identifiers in a first database (See page 13, lines 8-22);

(c) associating a transaction identifier with a transaction between at least two users having user identifiers (See page 13, lines 23-33);

(d) storing the transaction identifier, the user identifiers of the at least two users involved in the transaction, and transactional data relating to the transaction in a second database is accessible by each of the at least two users involved in the transaction (See page 12, lines 3-27); and

(f) updating the transactional data that is at least partially accessible by each of the at least two users involved in the transaction (See page 18, lines 20-33, and see page 19, lines 1-24).

As to claims 2, and 25, LEVCHIN et al. discloses wherein each user identifier is unique (See page 2, lines 28-30, wherein "user identifier is unique" reads on "electronic email addresses and social security numbers").

As to claims 6, and 27, LEVCHIN et al. discloses wherein each transaction identifier is unique (See page 2, line 22-28, wherein "unique" reads on "stored on each user's client" and associated by identifier with user's account which is too a unique identifier of the user).

As to claims 3, and 26, LEVCHIN et al. discloses wherein the user includes a primary user having one or more sub-users (See page 5, line 8-9, wherein "sub users" reads on "multiple users or accounts associated with an identifier").

As to claim 4, LEVCHIN et al. discloses wherein storing the user identifiers in the first database further comprises storing one or more user identity information in the first database (See page 2, lines 28-30, wherein "user identifier" reads on "electronic email addresses and social security numbers").

As to claim 5, LEVCHIN et al. discloses wherein the user identifiers and the one or more identity information are stored in the same database record (See page 2, lines 1-4, wherein "identity information" reads on "user account" and wherein "database record" reads on "registration with server").

As to claim 7, LEVCHIN et al. discloses comprising providing the transaction identifier to the users involved in the transaction (See page 14, lines 20-33).

As to claim 8, LEVCHIN et al. discloses comprising associating at least one surrogate identifier with the transaction identifier and providing the at least one surrogate identifier to the at least two users involved in the transaction (See page 10, lines 29-33, and page 11, lines 1-5, wherein "surrogate identifier" reads on "indirect transfer").

As to claim 9, LEVCHIN et al. discloses wherein the transaction between the at least two users is distinct (See page 18, lines 20-33, and see page 19, lines 1-24).

As to claims 10, and 12, LEVCHIN et al. discloses wherein the transaction between the at least two users includes transactions having one or more stages (See page 7, lines 8-31).

As to claim 11, LEVCHIN et al. discloses wherein the transaction between the at least two users is conducted in a network environment (See page 2, lines 1-6, wherein “network” reads on “web”).

As to claim 13, LEVCHIN et al. discloses wherein the transactional data includes information about the status of the transaction (See page 7, lines 8-31).

As to claim 14, LEVCHIN et al. discloses wherein storing the transaction identifier, the user identifiers of the users involved in the transaction, and transactional data in the second database includes creating a transaction record in the second database and formatting the transaction record according to the characteristics of the transaction (See page 13, lines 23-33, and see page 14, lines 1-25).

As to claims 15, and 30, LEVCHIN et al. discloses wherein the characteristics of the transaction include anticipated stages of the transaction (See page 7, lines 8-31).

As to claim 16, Musgrove et al. as modified discloses further comprising providing the at least two users access to at least some of the transactional data in a network environment (See

page 2, lines 8-21, wherein “network” reads on “web”).

As to claim 17, LEVCHIN et al. discloses wherein providing the transactional data in the network environment includes enabling the users to access the transactional data at a Web site (See page 17, lines 1-33).

As to claim 18, LEVCHIN et al. discloses further comprising providing the transaction identifier to the at least two users and enabling the at least two users to access at least some of the transactional data using the transaction identifier (See page 18, lines 20-33, and see page 19, lines 1-24).

As to claim 19, LEVCHIN et al. discloses wherein enabling the users to access at least some of the transactional data using the transaction identifier includes enabling the users to access the transactional data in a network environment (See page 18, lines 20-33, and see page 19, lines 1-24).

As to claim 20, LEVCHIN et al. discloses further comprising associating at least one surrogate identifier with the transaction identifier and providing the at least one surrogate identifier to the at least two users, and enabling the at least two users to access at least some of the transactional data using the at least one surrogate transaction identifier (See page 22, lines 1-9, also see page 24, lines 1-11).

As to claim 21, LEVCHIN et al. discloses wherein enabling the at least two users involved in the transaction to access at least some of the transactional data using the at least one surrogate transaction identifier includes enabling the users to access the transactional data in a network environment (See page 22, lines 1-9, also see page 24, lines 1-11).

As to claim 22, LEVCHIN et al. discloses wherein updating the transactional data includes updating the transactional data during the course of the transaction (See page 7, lines 8-31).

As to claim 23, LEVCHIN et al. discloses wherein updating the transactional data includes storing additional transactional data and changing current transactional data, whereby previously written data is retained (See page 13, lines 23-33, and see page 14, lines 1-25).

As to claim 24, LEVCHIN et al. discloses a computer-aided transaction processing system for documenting transactions conducted in a network environment, the system comprising:

a first database for storing a respective user identifier and identity information for at least two users (See page 2, lines 28-30, wherein "user identifier" reads on "electronic email addresses and social security numbers", also see page 13, lines 8-22);

an information processing system for managing a transaction between the at least two users, wherein a transaction identifier is associated with the transaction (See page 13, lines 23-33); and

a second database for storing a database record, wherein the database record contains the transaction identifier, user identifiers of the at least two users involved in the transaction (See page 12, lines 3-27), and corresponding transactional data, and wherein at least some of the corresponding transactional data contained in the database record that is stored in the second database is accessible by each of the at least two users involved in the transaction (See page 18, lines 20-33, and see page 19, lines 1-24).

As to claim 28, LEVCHIN et al. discloses wherein the transactional data includes data from one or more stages of the transaction (See page 7, lines 8-31).

As to claim 29, LEVCHIN et al. discloses wherein the database record in the second database is formatted according to the characteristics of the transaction (See page 13, lines 23-33, and see page 14, lines 1-25).

As to claim 31, LEVCHIN et al. discloses wherein the database record is updated during the course of the transaction (See page 13, lines 23-33, and see page 14, lines 1-25).

As to claim 32, LEVCHIN et al. discloses wherein the database record is updated by storing additional transactional data, changing transactional data, and voiding transactional data (See page 7, lines 8-31, also see page 8, lines 10-25).

As to claim 33, LEVCHIN et al. discloses wherein the at least two users are provided access to at least some of the transactional data stored in the database record (See page 15, lines 19-30).

As to claims 34, and 36, LEVCHIN et al. discloses a computer program product comprising computer readable program code for documenting transactions conducted in a network environment, comprising:

computer readable program code means for storing a unique user identifier and identity information for at least two users in a first database (See page 2, lines 28-30, wherein "unique user identifier" reads on "electronic email addresses and social security numbers");

computer readable program code means for managing transactional data associated with a transaction between the at least two users, wherein the transaction is identified by a unique transaction identifier (See page 8, lines 10-25);

computer readable program code means for storing the transaction identifier, user identifiers of the at least two users involved in the transaction, and corresponding transactional data in a second database (See page 7, lines 8-31, also see page 8, lines 10-25);

computer readable program code means for enabling each of the at least two users involved in the transaction to access at least some of the transactional data stored in the second database (See page 7, lines 8-31).

As to claims 35, and 37, LEVCHIN et al. discloses wherein the computer readable program code means for managing transactional data associated with the transaction between the

at least two users includes computer readable program code means for updating the transactional data (See page 7, lines 8-31, wherein "updating" reads on "Synchronization").

Response to Arguments

4. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Templeton et al. (U.S. Pub. No. 2002/0004772 A1) teaches conducting transactions over the Internet while having concurrent view.

Morin et al. (U.S. Patent No. 6,748,422 B2) teaches on-line bidding service with transaction status view.

Fisher et al. (U.S. Pub. No. 2005/0144035 A1) teaches order status update flag.

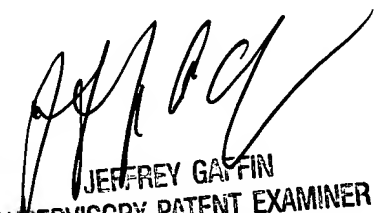
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5: 30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
October 2, 2005



JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
ELECTRONIC BUSINESS CENTER 2100